

Remarks

Claims 1-9 were presented at the time of filing. Claims 1-6 are cancelled above and have been rewritten and presented as new claims 10-13. Claims 7-13 are, therefore, currently pending in the application.

New claim 10 has support in original claim 7.

New claim 11 is directed to a pharmaceutical composition comprising the novel antibody of the invention and Applicants respectfully submit that a search relative to a pharmaceutical composition comprising those antibodies would uncover references describing the monoclonal antibody.

Claims 12 and 13 are directed to methods of using the monoclonal antibody of claim 7 and pharmaceutical composition of claim 11 and find support in original claims 1-6, now cancelled.

The Action of October 11, 2006 requires election under 35 U.S.C. §121 and 372 between two groups of claims:

Group I (claims 1-6), drawn to use of blocking antibodies; and
Group II (claims 7-9), drawn to a monoclonal antibody.


Applicants hereby provisionally elect the claims of Group II (claims 7-9) with traverse.

According to the Office Action, Group I is drawn to an isolated DNA and therefore do not share the same technical feature as the claims of Group II. However, the claims of neither Group I or II are not directed to an isolated DNA; rather Group II claims are directed to a monoclonal antibody product and Group I claims are directed to a process of use of those antibodies for the treatment of hyperthyroidism. The claims of Groups I and II, therefore, are related as product and process. Applicants understands that where, as here, applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder.

Withdrawal of the restriction is respectfully requested.

An action on the merits and a notice of allowance therefor, are respectfully requested. The Examiner is invited to contact Applicants' Attorney at the telephone number given below if any further questions arise in connection with this Application.

Respectfully submitted,


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